

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Manuel Ferrer et al.  
Serial No.: 10/575,505  
Conf. No.: 3956  
Filed: 8/29/2006  
For: TRANSGENIC ORGANISMS WITH  
LOWER GROWTH TEMPERATURE  
Art Unit: 1638  
Examiner: Worley, Cathy Kingdon

**ELECTION WITH TRAVERSE AND  
SECOND PRELIMINARY AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is a response to the restriction and election of species requirement mailed July 27, 2009. In response to the restriction requirement, Applicant hereby elects Group III, as identified by the Examiner. Claims 21 – 26 & 31 (as amended below) read on Group III. Of those claims, claims 21 and 25-26 are generic to Groups I-VIII. Applicant first traverses the separation of Groups I - IV, and requests based upon the first point of traversal that Groups I - IV be examined together. Claims 21 – 26 (as amended below) read on Group I-IV. Applicant secondly traverses the restriction requirement as dividing Groups I-IV & V-VIII for separate examination, and requests based upon the second point of traversal that Groups I-VIII be examined together. Applicant thirdly traverses the separation of Groups I-VIII from Groups IX-XII, and requests based upon the third point of traversal that Groups IX-XII (claims 27-30) be examined together with Groups I-VIII.

As to the election of Species requirement, Applicant hereby elects the Lys468Thre/Ser471Gly mutant of Cpn60, (and of Cpn10 (presuming successful traversal of the restriction as made between Groups I-IV and V-VII). Claims 21-27 and 29-31 read on the elected species.